

District Judge Benjamin H. Settle

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RICK OLMTEAD,

Plaintiff,

v.

RAY MABUS,

Defendant.

CASE NO. 3:13-cv-05051-BHS

DECLARATION OF THOMAS C.  
BASTIAN

I, THOMAS C. BASTIAN, declare under penalty of perjury, as provided by 28  
U.S.C. § 1746, that the following is true and correct to the best of my knowledge:

1. I am currently employed by the United States Navy, at the Puget Sound Naval Shipyard and Intermediate Maintenance Facility, Bremerton, WA ("Shipyard"). I have been employed at the Shipyard for more than 30 years. My current position is Assistant Project Superintendent in Code 392 (Submarine Operations). I have been a supervisor for approximately 20 years. My date of birth is November 22, 1962.
2. A temporary promotion is done competitively, extensions are administrative and do not require a new competition. In my experience the order of events to make up a competitive selection for these positions is, basically: (1) announcement of a vacancy, (2) a review of the applicants by a regional personnel office that results in a certificate of eligible candidates, (3) the selecting official conducts an initial screening to determine whether or not the individuals on the list of "eligible candidates" possess the specific skills and experience necessary to meet the requirements of the position (for instance, if hiring a nuclear supervisor, does that individual possess the knowledge necessary to supervise nuclear workers), (4) a

Declaration of THOMAS C. BASTIAN  
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1 rating of those candidates identified is conducted by a group of supervisors, (5) a  
2 comparison of the ratings, and (6) a final selection by the proper authority.

3 3. In December, 2013, I requested a certificate from OCHR for a temporary Zone  
4 Manager (Supervisor II) position. The announcement number for that position is  
5 987191.

6 4. I selected Mr. Jeremy Mehling to fill my vacancy because he possessed the  
7 knowledge skills, and experience necessary to act as the Zone Manager over the  
8 Facility Management Representatives and was therefore the best qualified  
9 individual to fill my vacancy.

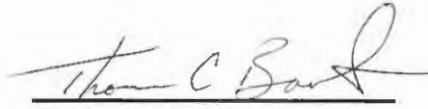
10 5. At the time of selection, Mr. Mehling was a first line supervisor on the USS  
11 KENTUCKY (SSBN 737). Mr. Mehling had served as a supervisor overseeing  
12 Engineered Refueling Overhauls (EROs), and scheduling missile compartment  
13 work during the ERO. This experience and knowledge regarding such scheduling  
14 made him the most qualified applicant for the position for which I was hiring.

15 6. When I made this selection, I did not know Mr. Olmstead. As such, I was  
16 unaware of his age and prior EEO activity.

17 7. I recall nothing unusual about this selection process. I did not hear any comments  
18 related to the candidates ages, prior EEO activity, or any other improper factors,  
19 and I would not have expected to.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed this 9th day of December, 2014.

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25   
26 THOMAS C. BASTIAN  
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